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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/759,628	01/12/2001	David L. Gilmour	003886.P018	2386

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EXAMINER
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WOO, ISAAC M

ART UNIT	PAPER NUMBER
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2162

DATE MAILED: 06/06/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/759,628

Applicant(s)

GILMOUR ET AL.

Examiner

Isaac M Woo

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 25 March 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1,2,4-24 and 26-29 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-2, 4-24 and 26-29 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>3/25/2005</u> . | 6) <input type="checkbox"/> Other: _____  |

### **DETAILED ACTION**

1. This action is in response to Applicant's Amendments, filed on March 25, 2005 have been considered but are deemed moot in view of new ground of rejections below.
2. Claims 1, 5-8, 10-11, 14-16, 20, 23 and 26 are amended. Claims 27-29 are newly added. Claims 3 and 25 are canceled. The pending claims are 1-2, 4-24 and 26-29.

### ***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1-2, 4-24 and 26-29 are rejected under 35 U.S.C. 102(e) as being anticipated by Desai et al (U.S. Patent No. 6,820,204, hereinafter, "Desai").

With respect to claim 1, Desai discloses, constructing, using a first computing device, a first profile utilizing first information concerning a profile subject (10a, profile data stored for plurality of users, 120, fig. 6, col. 8, lines 27-41), wherein the first information is provided by the profile subject (365, user profile information, fig. 13, col.

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16, lines 43-60) and read access to the first profile is limited to the profile subject (358, field table, fig. 13) and denied to a host computer that hosts the first profile (358, field table, fig. 13, col. 16, lines 61-67 to col. 17, lines 1-10, for instance, the data field salary is private that can not be accessed), and constructing a second profile utilizing second information concerning the profile subject (fig. 15b, col. 17, lines 43-67), wherein the second information is provided by, an entity (fig. 15b, col. 17, lines 43-67, i.e. user profile information of first name, last name, etc) other than the profile subject, see (fig. 15b, col. 17, lines 43-67); performing profile search (col. 17, lines 11-40) against both the first (358, field table, fig. 13, col. 16, lines 61-67 to col. 17, lines 1-10, for instance, the data field salary is private that can not be accessed) and second profiles (fig. 38, search by home phone for user profile records, i.e., address book includes user profile information for user name); and processing a result of the search according to a publication policy specified by the profile subject, see (810, info request (search), fig. 26, col. 24, lines 62-67 to col. 25, lines 1-16, user profile is viewed by info request).

With respect to claim 2, Desai discloses, write access to the first profile is limited to the profile subject, see (358, field table, fig. 13, col. 16, lines 61-67 to col. 17, lines 1-10, for instance, the data field salary is private that can not be accessed).

With respect to claim 4, Desai discloses, search access to the first profile is extended beyond the profile subject, see (fig. 13, col. 16, lines 61-67 to col. 17, lines 1-10).

With respect to claim 5, Desai discloses, search access to the first profile is unrestricted, see (fig. 13, col. 16, lines 61-67 to col. 17, lines 1-10).

With respect to claim 6, Desai discloses, write access to the second profile is limited to the other entity, see (fig. 15b, col. 17, lines 43-67).

With respect to claim 7, Desai discloses, read access to the second profile is limited to the other entity, see (fig. 15b, col. 17, lines 43-67).

With respect to claim 8, Desai discloses, read access to the second profile is extended beyond the other entity, see (fig. 15b, col. 17, lines 43-67).

With respect to claim 9, Desai discloses, search access to the second profile is unrestricted, see (fig. 13, col. 16, lines 61-67 to col. 17, lines 1-10).

With respect to claim 10, Desai discloses, publication policy specifies that the profile subject is to be prompted for authorization to publish the search result, see (search results are displayed, fig. 26, col. 24, lines 62-67 to col. 25, lines 1-16, user profile is viewed by info request).

With respect to claim 11, Desai discloses, publication policy specifies that the profile subject is to be prompted for authorization to publish the search result when the search registers a match with respect to the second profile, see (search results are displayed, fig. 26, col. 24, lines 62-67 to col. 25, lines 1-16, user profile is viewed by info request).

With respect to claim 12, Desai discloses, public profile portion and a private profile portion, and wherein the publication policy specifies that the profile subject be prompted for authorization to publish the search result when the search registers match with respect to the private profile portion, see (358, field table, fig. 13, col. 16, lines 61-67 to col. 17, lines 1-10, for instance, the data field salary is private that can not be accessed).

With respect to claim 13, Desai discloses, authorization is to publish the search result to an initiator of the search, see (search results are displayed, fig. 26, col. 24, lines 62-67 to col. 25, lines 1-16, user profile is viewed by info request).

With respect to claim 14, Desai discloses, publication policy specifies that the search result is to be published without independent authorization by the profile subject, see (search results are viewed, fig. 26, col. 24, lines 62-67 to col. 25, lines 1-16).

With respect to claim 15, Desai discloses, first profile includes a public profile portion and a private profile portion, and wherein the publication policy specifies that the search result is to be published without the independent authorization by the profile subject when the search generates a match against the public profile portion, see (358, field table, fig. 13, col. 16, lines 61-67 to col. 17, lines 1-10, for instance, the data field salary is private that can not be accessed).

With respect to claim 16, Desai discloses, publication policy specifies that the search result is not to be published, see (358, field table, fig. 13, col. 16, lines 61-67 to col. 17, lines 1-10, for instance, the data field salary is private that can not be accessed and published).

With respect to claim 17, Desai discloses, publication policy includes a rule authored by the profile subject, see (358, field table, fig. 13, col. 16, lines 61-67 to col. 17, lines 1-10, "private" that can not be accessed and published by rule).

With respect to claim 18, Desai discloses, publication policy specifies at least one search criteria to be applied when a profile search is performed against any one of the first and second profiles, see (810, info request (search), fig. 26, col. 24, lines 62-67 to col. 25, lines 1-16, user profile is viewed by info request).

With respect to claim 19, Desai discloses, search criteria defines a requirement for the performance of the profile search, see (fig. 13, col. 16, lines 61-67).

With respect to claim 20, Desai discloses, requirement is that the profile search be related to specific subject matter, see (fig. 13, col. 16, lines 61-67).

With respect to claim 21, Desai discloses, first and second profiles form respective portions of a common profile, see (fig. 13, col. 16, lines 61-67 to col. 17, lines 1-10).

With respect to claim 22, Desai discloses, first and second profiles reside at a separate and distinct network location, see (10a, data stored on database in network environment, fig. 1, fig. 6, col. 8, lines 27-41).

With respect to claim 23, Desai discloses, first and second profiles reside at a common network location, see (10a, data stored on database with single network environment, fig. 1, fig. 6, col. 8, lines 27-41).

With respect to claim 24, Desai discloses, profile search is performed against a plurality of profiles and wherein the search result is processed according to the publication policy, see (info request (search), fig. 26, col. 24, lines 62-67 to col. 25, lines 1-16).



With respect to claim 26, Desai discloses, profile system to store in a machine-readable medium a profile concerning a profile subject (10a, profile data stored for plurality of users, 120, fig. 6, col. 8, lines 27-41), the first information is provided by the profile subject (365, user profile information, fig. 13, col. 16, lines 43-60) and read access to the first profile is limited to the profile subject (358, field table, fig. 13) and denied to a host computer that hosts the first profile (358, field table, fig. 13, col. 16, lines 61-67 to col. 17, lines 1-10, for instance, the data field salary is private that can not be accessed), and constructing a second profile utilizing second information concerning the profile subject (fig. 15b, col. 17, lines 43-67), wherein the second information is provided by, an entity (fig. 15b, col. 17, lines 43-67, i.e. user profile information of first name, last name, etc) other than the profile subject, see (fig. 15b, col. 17, lines 43-67); performing profile search (col. 17, lines 11-40) against both the first (358, field table, fig. 13, col. 16, lines 61-67 to col. 17, lines 1-10, for instance, the data field salary is private that can not be accessed) and second profiles (fig. 38, search by home phone for user profile records, i.e., address book includes user profile information for user name); and processing a result of the search according to a publication policy specified by the profile subject, see (810, info request (search), fig. 26, col. 24, lines 62-67 to col. 25, lines 1-16, user profile is viewed by info request).

With respect to claim 27, Desai discloses, first information includes terms indicative of a knowledge base of the profile subject, see (col. 8, lines 27-55).

With respect to claim 28, Desai discloses, constructing the first profile is in response to a request from the profile subject and constructing the second profile is in response to a request from the other entity, see (info request (search), fig. 26, col. 24, lines 62-67 to col. 25, lines 1-16).

With respect to claim 29, Desai discloses, publishing is to a third party, see (fig. 26, col. 24, lines 62-67 to col. 25, lines 1-16, profile views for users).

### ***Conclusion***

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

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the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

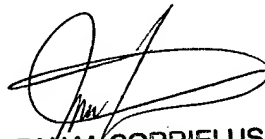
**Contact Information**

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Isaac M Woo whose telephone number is (571) 272-4043. The examiner can normally be reached on 8:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John E Breene can be reached on (571) 272-4107. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

IMW  
May 23, 2005



JEAN M. CORRIELUS  
PRIMARY EXAMINER